

1 Joe B. Ritchey, Esq.
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5 831-440-9050

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7 UNITED STATES DISTRICT COURT
8
9 NORTHERN DISTRICT OF CALIFORNIA
10
11 SAN JOSE DIVISION

12 CYNTHIA JACOBSEN, ANKER JACOBSEN,] Case No. 5:14-cv-03669 EJD
13 Plaintiffs,]
14 vs.] **DECLARATION OF JOE B. RITCHHEY**
15] **IN RESPONSE TO ORDER TO SHOW**
16] **CAUSE**
17 NATIONAL RAILROAD PASSENGER]
18 CORPORATION doing business as AMTRAK,]
19 and DOES 1 through 100, inclusive,]
20]
21 Defendants.]
22]

23 I, Joe B. Ritchey, declare,

24 [1] My name must have somehow become 'of record' in this case during its removal from State
25 Court but my address did not become associated with the removal. I have had no communications with
26 anyone about this Federal Court Proceeding and was surprised when I received notice of what I assume
must be a type of default. I never had knowledge I was supposed to be doing anything in this case.

27 [2] I never received emails nor any other notice from the federal court about the removal nor notice
28 of a Case Management Hearing, nor the Order related thereto. [Mr. Schwartz apparently thought I was
receiving the notices he was receiving from the federal court.]

[3] Mr. Schwartz, who was/ is active in this case at the State Bar level in this case is taking immediate
steps to take over this matter in the Northern District. Based on the reciprocal Bar admission, I expect he
will be active counsel in this matter within the next 20-30 days.

[4] A dismissal of the case will likely terminate plaintiffs' rights due to statute of limitations.

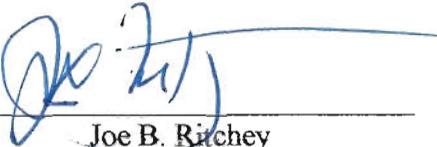
1 [5] I have looked at the merits of the claim. It appears to have merits. It is about a couple who set out
2 to enjoy their 16th wedding anniversary by passenger rail that turned into a horrible nightmare. Plaintiff
3 Anker Jacobsen is a Vietnam combat veteran. These plaintiffs should not have their case dismissed
4 because of the procedural problems, the cause of which are not relevant to the merits of this case
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6 [6] On their behalf I request a 30 extension of time to permit some other counsel, I assume Mr.
7 Schwartz, to become of record and get the Case Management proceedings re-calendared.
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9 I declare under penalty of perjury under the laws of the State of California that the foregoing is true and
10 correct. *Santa Cruz*
11

12 Thank you.
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14 Dated: February 10, 2015
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17 Joe B. Ritchey
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